

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

**LEX-0473-USA**

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Gregory Donoho, entitled Novel Human Kinase Proteins and Polynucleotides Encoding the Same, for a(n):

( ) Original Patent Application.

(X) Continuing Application (prior application not abandoned):

(X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior Application No. 09/671,050, filed on 09/27/2000.

( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

## Enclosed are:

(X) Specification; 26 Total Pages. ( ) Drawing(s);    Total Sheets.

(X) Oath or Declaration:

( ) A Newly Executed Combined Declaration and Power of Attorney:

( ) Signed. ( ) Unsigned. ( ) Partially Signed.

(X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

(X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

( ) A Check in the amount of \$            for the Filing Fee.

(X) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

( ) Applicant claims small entity status.

(X) Other: Statement under 37 C.F.R. §§ 1.821(e)(f) (Seq. listing 9 pages); Request to make Prior Art from Previous Application of Record with Exhibit A (copies of Form PTO 1449(s) from Previous Application); and Copy of Assignment from Previous Application

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	3	0	\$18.00	\$0.00
Independent Claims	3	0	\$86.00	\$0.00
Multiple Dependent Claim Fee (if applicable)				\$0.00
Assignment Recording Fee (if applicable)				\$0.00
Basic Filing Fee				\$770.00
Total Filing Fee				\$770.00

## Customer # 24231

Respectfully submitted,

DAVID W. HBLER  
REG. NO. 41,071

By: Lance K. Ishimoto by David W. Hbler

Lance K. Ishimoto, Attorney of Record, Reg. No. 41,866

Date: January 28, 2004

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313

By: Michelle KleinTyped Name: Michelle KleinExpress Mail Label No.: EL 982237589 USDate of Deposit: January 28, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Donoho *et al.* Prior Group Art Unit: 1652

Application No.: Unknown Prior Application Examiner:  
Parent Application Serial Number 09/671,050 M. Monshipouri

Filed: Concurrently Herewith

Attorney Docket No.: LEX-0473-USA

Title: Novel Human Kinase Proteins and  
Polynucleotides Encoding the Same

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**REQUEST TO MAKE PRIOR ART FROM PREVIOUS APPLICATION OF RECORD**

Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The present paper constitutes Applicants' compliance with their duty of disclosure under 37 C.F.R. § 1.56. Please make all prior art of record in parent application Serial No. 09/671,050, filed September 27, 2000, of record in the present case, including that cited by the Office and Applicants. As a courtesy, copies of the Form PTO-1449s from the prior application are included herewith as **Exhibit A**.

Respectfully submitted,

January 28, 2004

Date



David W. Hibler  
Agent for Applicants

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